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DOCKET NO.: IVOO-0144

**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

**Charles Eric Hunter, Bernard L. Ballou,
Jr., Kelly C. Sparks and John H. Hebrank**

Confirmation No.: 2729

Application No.: 09/684,442

Group Art Unit: 3621

Filing Date: October 6, 2000

Examiner: Pierre E. Elisca

For: MUSIC DISTRIBUTION SYSTEMS

DATE OF DEPOSIT: December 29, 2005

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Thomas Att for Jim
TYPED NAME: Jeremiah J. Baunach
REGISTRATION NO.: 44,527
Baunach

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS PURSUANT TO 37 CFR § 1.192**

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **September 29, 2005** finally rejecting claims **38-67** of the above-identified patent application.

The item(s) checked below are appropriate:

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☒ Applicants hereby request a Pre-Appeal Brief Request for Review

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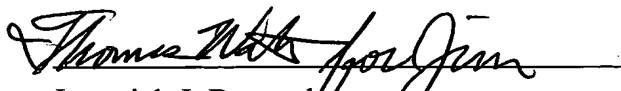

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PROCEDURE PURSUANT TO
37 CFR § 1.116**

- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of _____ to and through _____ comprising an extension of the shortened statutory period of _____.

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$200	\$	\$500	\$500.00
<input checked="" type="checkbox"/> PRE-APPEAL BRIEF FOR REVIEW				\$130.00
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$60	\$	\$120	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$225	\$	\$450	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$510	\$	\$1020	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$795	\$	\$1590	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1080	\$	\$2160	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$)
TOTAL FEE DUE		\$0		\$630.00

- ☐ A check in the amount of \$ _____.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☒ Please charge my Deposit Account No. 23-3050 in the amount of **\$630.00**. This sheet is attached in duplicate.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

Date: December 29, 2005


Jeremiah J. Baunach
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